

REMARKS

Status of the Application

Claim 1 was objected to for informalities and rejected under 35 USC 102(b) as being anticipated by Guest. (US 5,390,969). The specification was objected to for informalities.

Applicant has amended claim 1 and added new claims 2-3. No new matter adds through the amendments. For the reasons discussed below, withdrawal of the rejections is requested.

The Specification

The paragraph beginning at line 1 of page 1 has been amended according to the Examiner's suggestion.

Withdrawal of the objection is requested.

Claim Objections

Claim 1 has been amended to overcome the objection.

Withdrawal of the objection is requested.

Claim Rejections- 35 U.S.C. 102(b)

Claim 1 was rejected under 35 USC 102(b) as being anticipated by Guest (US 5,390,969).

Applicant respectfully traverses the rejection for at least the reasons discussed below.

As defined in the amended claim 1, the elastic petal of the tube constrictor has an innermost portion, the innermost portion has a pointed tip formed at its end. When the tube constrictor is pushed deep into the constrictor groove, the pointed tip engages with the O-shaped ring so as to move the clamp member away from the outer surface of the tube. In this way, the tube can be easily removed from the tube constrictor and the constrictor groove without scarring the outer surface of the tube.

Guest does not teach or suggest the above features of the present invention. The Office Action alleged that Guest discloses a tube restrictor having upright elastic petals 26, the petal has an innermost portion with a pointed tip formed at its end. However, Guest does not teach or even remotely suggest that, when the tube constrictor is pushed deep into the constrictor groove, the pointed tip engages with the O-shaped ring so as to move the clamp member away from the outer

surface of the tube. In fact, the “pointed tip” of Guest does not have such function. No matter how deep the tube constrictor is pushed into the constrictor groove, the “pointed tip” of Guest simply cannot engage with the O-ring and move the clamp member (27, 28, and 29) away from the outer surface of the tube. It is clear that Guest fails to teach or suggest the pointed tip of the present invention.

In fact, Guest specifically teaches that “[A] small extraction movement of the collet 12 engages the outer sides of the head portion 24 with the tapered cam surface 19 in the throughway to press the head portions inwardly and cause the edges 29 of the arcuate plates to bite into the surface of the tube to grip and hold the tube in the tube coupling body.” Clearly, in Guest’s device, the tube constrictor bites into the surface of the tube to grip and hold the tube, which can scar the surface of the tube and makes it difficult to remove the tube.

For at least the reasons discussed above, Guest cannot anticipate claim 1. Withdrawal of the rejection is requested.

New Claims

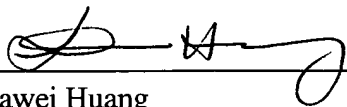
New claims 2-3 have been added. For similar reasons discussed above, it is believed that new claims 2 and 3 are patentable.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the remaining claims 1-3 are now in condition for allowance. Allowance of this application is earnestly solicited.

Respectively submitted

Date: 3/16/2005



Jiawei Huang
Registration No. 43,330

J.C. Patents
4 Venture, Suite 250
Irvine, CA 92618
Tel.: (949) 660-0761